

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Plaza Blanca & Rutherford,
Cañones Creek, Village of Chama

MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and respectfully requests the Court to join as additional parties the persons or entities named below and order them to answer the State’s Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons or entities listed below are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Stream System.

Section 3

Napoleon L. Ulibarri	CHNU-005-0002	P.O. Box 125, Los Ojos, NM 87551
Patricia Ulibarri	CHNU-004-0003B	P.O. Box 165, Cebolla, NM 87518
Robert J. Ulibarri	CHNU-004-0003B CHNU-004-0006B	P.O. Box 165, Cebolla, NM 87518

Section 7

Jose Avalos	CHTA-004-0021B	P.O. Box 423, Tierra Amarilla, NM 87575
Mariella Avalos	CHTA-004-0021B	P.O. Box 423, Tierra Amarilla, NM 87575
Hope U. Martinez	CHTA-004-0027B	P.O. Box 1012, El Prado, NM 87529
Juan I. Martinez	CHTA-004-0027B	P.O. Box 1012, El Prado, NM 87529
Virginia McDermott	CHTA-004-0028	PO Box 984, Santa Fe NM 87504
Elisa M. Salazar MacKenzie	CHRB-007-0030 CHRB-006-0037A	712 Grace St. NE, Albuquerque, NM 87123
Robert A. Salazar	CHRB-006-0037C	200 Algodones NE, Albuquerque, NM 87112
Baudelia M. Mercure	CHRB-009-0031 CHRB-009-0032	HC 75 Box 6, La Puente Rt., Tierra Amarilla, NM 87575
Vincente Mercure	CHRB-009-0031	HC 75 Box 6, La Puente Rt., Tierra Amarilla, NM 87575
Christina Miller Veveris	CHRU-001-0021	188 Tesuque Village Rd., Santa Fe, NM 87506
Juris L. Veveris	CHRU-001-0021	188 Tesuque Village Rd., Santa Fe, NM 87506
Chama Valley Production Company, LLC	CHRU-001-0022	P.O. Box 280, Chama, NM 87520
Simon Carlos Manzanares	CHRU-004-0049	6304 Summerwood Rd. NW, Albuquerque, NM 87120
Maria C. Manzanares	CHRU-004-0049	6304 Summerwood Rd. NW, Albuquerque, NM 87120
Johnny A. Martinez	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031

Lynette Martinez	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031
Manuel Martinez	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031
Raymond R. Martinez	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031
Robert E. Martinez	CHCC-002-0011	02 Merlinda Ct., Los Lunas, NM 87031
Darlene Moya	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031
Sadie Sanchez	CHCC-002-0011	c/o Robert E. Martinez, 02 Merlinda Ct., Los Lunas, NM 87031
Donnie Carillo	CHCV-002-0052	841 Capilene Ln., Chama, NM 87520

These waters belong to the public and are subject to appropriation in accordance with laws of the State of New Mexico. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters of the Rio Chama Stream System.

2. The persons or entities listed above are in Sections 3 and 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using or diverting surface or underground waters within Sections 3 and 7 of the Rio Chama Stream System.

DATED: March 6, 2006

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102

(505) 867-7444 phone
(505) 867-2299 facsimile

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Motion to Correct Defendants' Names was transmitted by ACE filing to the following this 6th day of March 2006:

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031

/s/ Ed Newville
Edward G. Newville